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19 MAR 15 PM 3:53

1 SIDNEY F. WOLITZKY
2 70 West Franklin Street
Tucson, AZ 85701-1047
(520) 622-5832
3 State Bar No. 003195
4 Attorney for Petitioner

BY: J. ORR, DEPUTY

5 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
6

7 IN AND FOR THE COUNTY OF PIMA

8 State of Arizona,) Case No. C20191151

10 Petitioner,

11 **Claims of Exemption**
12 **From Forfeiture**
For Shalmarie Tulk

13 V.

14 **(Judge Gordon)**

15 Fabian Castro-Lopez,
Shalmarie Tulk,
And other defendants

16 Respondent.

17 Claimant Shalmarie Tulk, by and through her attorney Sidney F. Wolitzky hereby
18 enters claims that she is the owner of two vehicle, a 2005 Dodge 1-ton pickup and a 2010
19 BMW 121CP that were seized forfeiture by the state of Arizona.

- 20 1. The defendant Tulk is not married.
- 21 2. The address at what she will accept future mailings from the Court or the attorney
for the state is c/o Sidney Wolitzky, 70 W. Franklin, Tucson, AZ 85701.
- 22 3. The defendant acquired her interest in the 2005 Dodge 1-ton pickup truck on
December 29, 2016 and acquired her interest in the BMW on March 12, 2018.
- 23 4. The defendant acquired her interest in these vehicles before she was indicted in the
Cochise County case. Her interest in both vehicles is subject to liens by USAA Federal
24 Savings bank.

1 5. Claimant believes that the forfeiture action against her arises from a criminal
2 indictment in Case No. CR201900012 in Cochise County Court in which she is named as a
3 co-defendant in two counts.

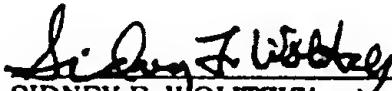
4 6. Defendant denies any criminal wrong-doing in that case.

5 7. Defendant continues to pay all obligations related to the vehicles.

6 8. Claimant asserts that her interest in the cars is not subject to forfeiture based upon
7 A.R.S. 13-4304 (1) (4) (a) (b) (c) and A.R.S. L3-4304 (4).

9 9. The relief sought by claimant is a hearing to be held before this court within sixty
10 (60) days at which the state will have the initial burden of showing the existence of probable
11 cause for the forfeiture of the two vehicles and the claimant will have the opportunity to
12 prove the exemption of her interests.

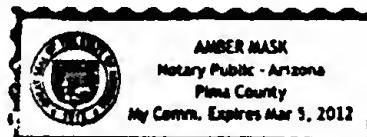
13 Dated this 14 day of March, 2019

15 
16 SIDNEY F. WOLITZKY
17 ATTORNEY FOR PETITIONER

18 OATH AND VERIFICATION OF PETITIONER:

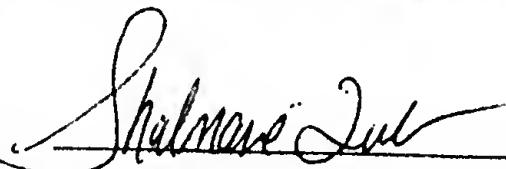
19 STATE OF ARIZONA

20 County of Pima

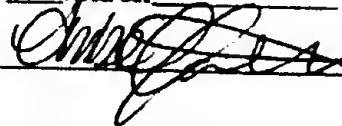


21 Shalmarie Tulk, being first duly sworn upon her oath, deposes and swears:

22 That she has read the foregoing claims of exemption from forfeiture and the contents
23 are true and correct.

24 SIGNED: 

25 Subscribed and sworn to before me this 14 day of March 2019 by Claimant
26 Shalmarie Tulk.



Notary Public

27 My Commission Expires: Mar 5, 2022